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September 29, 2004

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2004 OCT -41 A 11:53

Office of the General Counsel
Federal Election Commission
999 East Street, N.W.
Washington, D.C. 20463

RE: **MUR No. 5527 – Complaint Against
Morse for Congress Committee
Federal ID #C00388595**

Dear Office of the General Counsel:

Reference is made to the above captioned MUR No. 5527. Subsequent to my filing this complaint with the FEC, I sent a copy of the complaint to the Morse for Congress Committee (Morse Cte.) The Morse Cte. subsequently responded to the FEC General Counsel and sent me a copy. That response is attached to this letter as Exhibit A.

Unfortunately, that response does not answer the nondisclosure and omission grounds of the original complaint. Additionally, it raises new grounds for investigation by the FEC.

Therefore, on behalf of the Barney Frank for Congress Committee, I submit the following:

I. FAILURE TO RESPOND TO DISCLOSURE COMPLAINTS

a. Report 7/30/03 to 12/31/03

The response provides nothing to explain the lack of disclosure of the \$15,084.00 contributions listed as itemized.

b. Report 1/1/04 to 3/31/04

The response provides nothing to explain lack of disclosure of the source of the \$5,663.69 in contributions listed as itemized.

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c. Report 4/1/04 to 6/30/04

In this report, \$102,854 was listed as itemized contributions and only \$6,630 was disclosed as to the source. In the recent Morse Cte. response dated September 3, 2005, the Morse Cte. fails again to disclose. The response provides detail only on another \$3,150 in contributions. Totaled with past disclosures, this makes \$9,780 in disclosure, leaving \$92,074 or 89.9% of that amount undisclosed.

d. Summary as To Failure to Respond on Disclosure

Despite repeated FEC Commission requests and now the Frank Committee's request, the Morse Cte. still refuses to provide full disclosure. This non-disclosure sends a message of arrogance. This impression is reinforced by the fact that in the recent response, the Morse Cte. discloses the names of 12 individuals covering the \$3,150. However, 7 of the 12 names disclosed (58%) list "best efforts" as the reason for further non-disclosure of important information such as the employer for those 12 individuals. What did their best efforts involve and why is the percentage so high? All this further supports the need for an investigation and audit of the Morse Cte.

II. EXPENDITURES

a. Report 10/1/03 to 12/31/03 Amended

The original complaint noted that the Morse Cte. reported that the Boston Globe ad cost \$3,000. This appeared incorrect since our research disclosed that a ¼ page cost was more like \$11,529.

The Morse Cte.'s recent response did not answer that complaint but only created more questions and reasons for the FEC investigation and audit.

First, as to cost, the Morse Cte. now admits that the \$3,000 cost was false. They now report the true cost was a full \$1,542 more and say that this \$1,542 amount was paid by the candidate. However, the original report did not disclose this fact. Why? Also, the September 3, 2004 response stated that the expenditure for the full \$4,542 was made by a group called City Metro Enterprises. We believe this company is the candidate's business. The original report to the FEC shows the \$3,000 Morse Cte. expenditure going directly to the Boston Globe newspaper. Thus, the question is raised whether the \$3,000 and \$4,542.42 are both different expenditures, bringing the cost of the ad now to \$7,542.42. This is still well under the \$11,529 amount reported to us as the cost of a ¼ page ad.

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Secondly, the Morse Cte.'s recent response says that the ad was not a ¼ page and thus did not cost \$11,529.00. However, the ad was run on Monday, March 29, 2004 in the Boston Globe. The ad measures 10 ½ inches x 6 inches. The Boston Globe reports to us this size is considered a ¼ page.

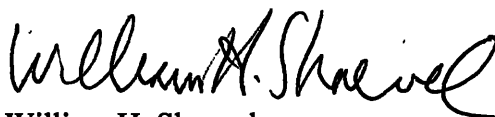
b. Summary as to Expenditure

Thus, as to this expenditure, the reasons now advanced by the Morse Committee are 1) insufficient to answer the cost question, and 2) disclose possible violations of the disclosure provisions of the Federal Election Campaign Act by a) originally not disclosing the correct amount and b) failing to disclose contributions by the candidate.

III. CONCLUSION


For the reasons listed above, 1)non-response to specific disclosure questions regarding contributions, 2)admitted intentional omissions and insufficient explanation on the expenditure side, and 3)continued refusal to comply with FEC written requests; the Frank Committee requests affirmative action by the FEC, including audit and enforcement of the statute.

Very truly yours,



William H. Shaevel

On this 29th day of September, 2004, before me, the undersigned notary public, personally appeared William H. Shaevel as attorney in fact for Barney Frank for Congress Committee, the principal, proved to me through satisfactory evidence of identification, which was personal knowledge of identity, to be the person whose name is signed on the preceding document, and who signed and sworn to before me that the contents of the document are truthful and accurate to the best of his knowledge and belief.



Notary's signature

August 4, 2006.
My commission expires

cc: Charles A. Morse